

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

JAMES GEORGE, et al., )  
Plaintiffs, ) Case No.: 2:10-cv-01664-GMN-NJK  
vs. )  
DIRECTSAT USA, LLC, et al., )  
Defendants. )  
)  
**ORDER**

This lawsuit was filed by James George and Stephen Forrest (“Plaintiffs”) alleging labor and wage violations on behalf of current and former employees of DirectSat USA, LLC, UniTek USA, LLC, and UniTek Global Services, Inc. (“Defendants”). Before the Court is the Motion to Dismiss (ECF No. 76) and the Motion for Leave to File a Supplemental Brief (ECF No. 97) filed by Defendants DirectSat USA, LLC (“DirectSat”), UniTek USA, LLC (“UniTek”), and UniTek Global Services, Inc. (“UGS”) (collectively, “Defendants”).

On November 15, 2013, Plaintiffs filed a Notice indicating their intent to withdraw the class claims and to pursue the action on their own behalf. (ECF No. 93.) The following week, on November 22, 2013, Plaintiffs filed a Motion for Leave to File Amended Complaint (ECF No. 94), which is not yet fully briefed.

In the instant Motion for Leave to File a Supplemental Brief (ECF No. 97), Defendants request leave to provide arguments as to why the action should be dismissed on new jurisdictional grounds relating to the Notice (ECF No. 93) filed by Plaintiffs. Having considered the briefs and the requested relief now pending before the Court, the Court finds good cause to permit Defendants to brief their new arguments as to jurisdiction. However, the Court finds that good cause exists to deny the currently pending Motion to Dismiss (ECF No.

1 76) as moot, considering the new factual developments and the pending Motion for Leave to  
2 File Amended Complaint (ECF No. 94). Therefore, instead of granting Defendants' motion to  
3 give leave to file supplemental briefing, the Court will instead permit Defendants to file a  
4 separate motion in the form of the proposed supplemental brief attached at Exhibit A to the  
5 Motion for Leave to File a Supplemental Brief (ECF No. 97).

6 Accordingly,

7 **IT IS HEREBY ORDERED** that the Motion to Dismiss (ECF No. 76) is **DENIED** as  
8 **moot.**

9 **IT IS FURTHER ORDERED** that the Motion for Leave to File a Supplemental Brief  
10 (ECF No. 97) is **DENIED** as described in this Order. Defendants shall be permitted to file the  
11 attached brief as a separate motion.

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13 **DATED** this 4th day of December, 2013.



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16 Gloria M. Navarro  
United States District Judge